IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL RESTORATION No. 45 of 2007

A.C.T.O.A/E-1-SIROHI
V/S
M/S MEHTA MOHAN RAJ DEV RAJ

Mr. VK MATHUR & Mr. MS GODARA, for the appellant / petitioner

Date of Order : 6.11.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

In this matter, the writ petition stood dismissed consequent upon the order passed by this Court on 7.9.2007 in presence of learned counsel for the Department. It is significant to note that under Rule 166 the writ petition was required to be dismissed on that day itself, and it was only on the statement of learned counsel for the petitioner that the requisites along with application for condonation of delay have been put in, that the delay was condoned and notices were ordered to be issued relying upon the statement of the learned counsel, and it was by way of abundant caution, that it was clarified, that if the requistes are not found to have been put in, as against the unserved respondents, the petition will automatically stand dismissed. From the report of the Registry it transpires that the statement made before the Court is wrong, and

therefore, the writ petition has been dismissed as the order sprung into action.

In my view, no ground has been made out to explain as to why such a wrong statement was made in the Court. Thus, I do not find any ground to restore the revision petition. The same is, therefore, dismissed.

(N P GUPTA),J.

/sushil/